

REMARKS

Claims 1-30 are subject to restriction. Claims 29-30 are canceled. Claims 23-25 and 27-28 are amended. Claims 1-28 remain.

It is asserted in the Office Action the Application is directed to the following separate and distinct embodiments, as follows:

- A. Group I, claims 1-15, drawn to a method for preparing a composition comprising recited steps (a) - (c).
- B. Group II, claim 16, drawn to a liquid phase as obtained by the method as claimed in claim 15.
- C. Group III, claim 17, drawn to a solid phase as obtained by the method as claimed in claim 15.
- D. Group IV, claims 18-22, drawn to a composition obtained by the method as claimed in any one of the preceding claims.
- E. Group V, claim 29, drawn to a method of cosmetic treatment for tissue regeneration of the skin and/or superficial body growths, characterized in that the composition as claimed in any one of claims 18 to 20 is applied to the skin and/or superficial body growths.
- F. Group VI, claim 30, drawn to a method of cosmetic treatment of modifications related to aging of the skin and/or superficial body growths, characterized in that the composition as claimed in any one of claims 18 to 20 is applied to the skin and/or superficial body growths.
- G. Claims 23-28 are drawn to non-statutory subject matter, and, therefore the claims could not be grouped.

In response, Group I is provisionally elected with traverse. The restriction requirement is submitted to be improper because of the following.

Applicant agrees that claims 1-15 are directed to a method for preparing a composition comprising steps (a) - (c).

Applicant's claims 16 and 17 refer to the description on page 12, line 32 to page 13, line 8. That is, at the end of step (b), the liquid phase and the solid phase can be separated by means such as ultra filtration, tangential filtration, etc. The liquid phase and the solid phase are thus both products of any of the preceding claims. Thus, the liquid phase and the solid phase do not exhibit one-way distinctness.

Applicant's claims 18-20 concern a composition that can be obtained using the method of any of claims 1-15. The compositions cannot be made in other processes. Therefore, the different compositions relating to claims 18-20 do not exhibit one-way distinctness.

Applicant's claims 21 and 22 are directed to a pharmaceutical composition integrally comprising a composition in any of the claims 18-20. The pharmaceutical composition, thus, can be obtained from any of the claims 1-15. Claim 26, which is drawn to a cosmetic composition should be treated similarly as claims 18-22 as it relates to a composition that can be obtained from any of claims 1-15. Therefore, the different compositions relating to claims 21-22 and 26 do not exhibit one-way distinctness.

Claims 23-25 and 27-28 are amended. Claims 23-25 are drawn to a therapeutic method of using the composition from claims 18-20, which can be obtained from any of claims 1-15. Claims 23-25 are drawn to a cosmetic method of using the composition from claims 18-20, which can be obtained from any of claims 1-15. Therefore, the different methods of using the compositions relating to claims 18-20, and thus claims 1-15, do not exhibit one-way distinctness.

Under Rule 13 PCT and administrative instructions Annex B, part 1 is constituted by the method of preparing of claims 1-15. Moreover, under Rule 13 PCT, the requirement of unity shall be fulfilled if "(3) a product, a process specially adapted for the manufacture of the said product, and a use of the said product."

In view of the foregoing the Applicant respectfully requests that the requirement be withdrawn upon reconsideration.

Respectfully submitted,

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